



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
ATTORNEY GENERAL

Honorable H. A. Jamison, Commissioner
State Department of Banking
Austin, Texas

Attention: Mr. L. S. Johnson,
Deputy Commissioner

Dear Sir:

Opinion No. 6315
Re: Authority of the Banking
Commissioner, with respect
to activities of a foreign
bank dealing in exchange
in this state.

This will acknowledge your letter in which you ask
us for an opinion upon the above subject matter. Your inquiry
is as follows:

"You are advised that we have this date been
presented by Mr. L. W. Potts of El Paso, Texas,
with a formal letter of protest, dated December 1,
1944, at El Paso, Texas, over the signatures of
L. W. Potts and I. Tinoco. This letter of protest
is in connection with the operations of a branch
of the Mexico National Bank, commonly known as
Banco Nacional of Mexico City, the branch being
located in Juarez, Mexico. The operation has to
do with the changing of American money into Mexi-
can specie and currency and is reported to us by
Mr. Potts to be exercised in the following manner.

"Currently there are numbers of Mexican labor-
ers being returned to Mexico by train and it is
reported by Mr. Potts that the operations of this
bank, through its representatives, include the
posting of signs in the various cars in which these
Mexican laborers are being transported, giving the
name of the bank and other information in connec-
tion with the changing of money in the Mexican
language. Mr. Potts also reports that represen-
tatives of the bank advertise themselves as such

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to the said Mexican laborers and he terms this as being unfair competition, upon the grounds that the Bank of Mexico has no right to perform this function without the confines of their own territory or particularly in our State.

"We are enclosing the letter of protest which we mentioned above together with a letter of certification over the signature of Joe C. Mollinary, City License Collector of the City of El Paso, Texas, certifying that the above mentioned bank has been granted a City Occupation License by the License Bureau of the City of El Paso, Texas.

"We seek to determine from your office whether or not it is our responsibility to investigate or take any action in respect to this letter of protest and request of Mr. Potts and will appreciate your rendering an opinion in this regard."

The activities of the branch bank with respect to exchange carried on in this state do not present any question calling for action of any character upon the part of your department.

If the information contained in your letter presents a question for any department of this state, it is the Attorney General's Department. We thank you for your thoughtfulness in bringing this to our attention, and we shall avail ourselves of the information which it contains in the event we determine that such facts call for our action.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

Ocie Speer
Assistant

OS: ddt

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